



METHODS OF HARRIMAN

How Oriental Line Was Put Out of Business.

CIRCULARS SCATTERED

People of Orient Led to Believe Line Could Not Handle the Traffic.

TRADE WENT TO HARRIMAN

Spreading of Injurious Tales and O. R. & N. Freight System Ruined Harriman's Rival—San Francisco Hearing Ended.

SAN FRANCISCO, Jan. 31.—Evidence that the operations of E. H. Harriman on the Coast constitute a violation of the interstate commerce law was brought out before Commissioner Franklin K. Lane today. C. A. Severance, attorney for the Commission, showed that Harriman paid a price out of proportion to the value of the Coos Bay properties, realizing that he was putting the possibility of competition out of the way. Harriman was not buying coal mines primarily; he was buying monopoly.

H. A. Graham, who supplied this testimony, created another sensation before he left the stand. As an example of the Harriman methods of killing competition, he told how, when Harriman acquired the Oregon Railroad & Navigation Company in 1901, his agents circulated literature through the Orient, warning merchants and others not to ship freight over the Graham line, the Oregon & Oriental, as it had no transportation facilities on this side of the world. The circulars were dated at Portland. As a result of these methods, Graham's line went out of business. Graham was called to the stand for a continuation of the story he related yesterday, showing how Harriman forced his company, the Oregon & Oriental, out of business. He stated that the Oregon Railroad & Navigation Company, owned by Harriman, routed his inward freights, and that he was required by contract to give the O. R. & N. bills of lading over that road and its connections. So stringent were the conditions of this contract, that when Graham desired to give some of his freight to the Chicago, Milwaukee & St. Paul road, the officials, particularly Campbell, of the O. R. & N., would not permit him, but compelled him to ship over the Chicago & Northwestern and the Illinois Central.

When the Coos Bay, Roseburg & Eastern Railway was built, Graham testified that he, in his capacity of railroad contractor, was asked to take the work. Meeting John D. Spreckels at Coronado, he induced him to come into the enterprise. The investment looked promising to Spreckels, so he agreed to buy 30 miles of rails, payment to be made to him after the bonds were sold and the subsidy paid. It was shown that the entire property in Coos Bay cost Spreckels considerably less than \$1,000,000. When Harriman came along and bought the property, he was willing to pay \$1,300,000 for it. This made it plain that it was not the property Harriman wanted. He wanted to buy up the possibility of competition with his railroad monopoly.

At noon all the testimony had been taken and Commissioner Lane declared the hearing at an end. On Thursday next the parties to the hear-

ing will go to Los Angeles, where the sessions will be resumed.

LOOKING FOR ELLA.

Lawyers Searching for Lost Sweetheart of Rich Man.

COLUMBUS, Jan. 31.—Administrators of James W. Riley, a wealthy old lawyer, who died at East Liverpool, O., recently, having an estate of \$100,000, and no clue to a living relative, are advertising for one "Ella," who was evidently once a sweetheart of the lawyer, and whose picture with some tender letters signed only "Ella" were found among his law books. This photograph they reproduce in the advertisement, and hope to procure from her some clue to his heirs, if she is still living, as Riley never married.

AWAIT ANSWER.

SAN FRANCISCO, Jan. 31.—The San Francisco Board of Education is waiting a telegraphic answer from the California congressional delegation at Washington to determine whether the entire board or only two members should go to the capital to discuss the Japanese school question.

ASSASSINATE CHIEF.

WARSAW, Jan. 31.—Terrorists tonight shot and killed Victor Gruen, chief of the secret police here. The murderer escaped.

FOR MINE INSPECTOR

New State Official Proposed by Measure Before House

MINERS ARE BACKING BILL

Inspector Would Have Power to Make Employers Furnish Safety Devices, Correct Abuses and Gather Statistics on Mine Outputs.

SALEM, Ore., Jan. 31.—There is said to be strong backing for H. B. 130, Walter Moore, which creates the office of State Mining Inspector, at a salary of \$2,000 a year and 10 cents a mile for traveling expenses. The bill is up for third reading in the House, and will receive a favorable report from the mining committee.

The Inspector of Mines is to visit every mining county in the state at least once each year, and shall prepare an annual report covering in full the mining resources and development of the state. He has power to enter any mine and obtain all information concerning the quality of ore and the extent of the operations of every mine, but under no circumstances must he divulge to others this information. He is to compile a list of all mines, the number of men employed and their nationality.

On complaint of three or more miners that any mine is unsafe, he must investigate and compel the mineowner to provide proper safeguards for the protection of the men. Whenever there is an accident, the owners shall notify the inspector and the inspector or his deputy must be present at all inquests and may cross-examine witnesses.

Miners are backing the measure, although mineowners are not enthusiastic over the prospect of an inspector examining their properties. The inspector is to be appointed by the governor for four years. He must be a practical miner, with at least five years' experience with underground work.

FIRST COURT BALL.

ROME, Jan. 31.—The first court ball of the season took place at the palace of the Quirinal last night. Ministers, Senators, Deputies, and members of the diplomatic corps attended. The king and queen remained for an hour.

LOCKS BILL IS DEBATED

Measure to Buy or Build Before the House.

SOLONS WAX WROTH

Jones Declares Initiative Will Be Used if the Bill is Defeated.

RODGER'S STINGING RETORT

Points Out That Bill, Which Jones Fathomed, Provides Initiative and Referendum Laws Shall Not Apply to Itself.

SALEM, Ore., Jan. 31.—There were fireworks when House bill No. 7, providing for the purchase of a lock site or acquisition of present locks at Oregon City, came up as special order of the day yesterday at 2 o'clock. The House went into committee of the whole, Carter of Benton taking the chair.

The first trouble came when the House defeated an amendment that would enable the proposed commission to condemn property for the lock site, and Davey then prophesied that the bill would be killed. Vawter announced that he would oppose the bill because it did not carry enough appropriation and because the government should do this work, anyway. After some debate the bill was considered read by sections, and a motion was made to refer it to the railroad committee, it having been favorably reported by the commerce committee. It was then that Jones, author of the bill, came to its rescue.

"I am sorry that this legislature is willing to kill this bill without due consideration, for I take it that is what the gentleman from Multnomah means by his motion to refer," he said.

"Thanks to God, we've got an initiative and referendum law on the books, and if you think the people of the richest valley on earth are going to leave it tied up by a corporation without letting a pound of freight pass through without exacting there its pound of flesh, you are mistaken." Newell said:

"I am not afraid to go on record in this matter, but I won't represent my constituents by voting for a bill that purports to do something and carries about two-thirds enough appropriation to accomplish what it is intended to do."

Speaker Davey said he had understood that a compromise had been effected whereby the bill would pass carrying an appropriation of \$250,000, with the understanding that the government should appropriate an equal amount. He intimated that things had gone wrong when such a dissension arose over a matter supposed to have been arranged. Jones said he never had heard of a compromise and had never favored one. Barrett, of Washington, said:

"I won't favor such a measure as this, and if I did my constituents would be the first to object."

Rogers, of Marion, said: "This bill provides for a half-mill assessment for the locks. The Dear People don't want such a provision as that so long as some counties assess on a 100 per cent valuation, but most on about a 30 per cent valuation. That means that Multnomah and Marion would pay about three times their share toward these docks. I am not worrying about what the Dear People you are talking so effectingly of will

do. They will kill any bill as ineffective as this on sight, that's what they will do, and presumably the author realizes this, for he expressly provided that the referendum he speaks so touchingly of should not apply to his bill. That Dear People is mere buncombe."

Several attempts were made to refer the bill and one to indefinitely postpone it. It was finally sent to the special committee appointed to consider the entire lock situation, after which the House somehow wriggled out of the committee of the whole and became a House again, Speaker Davey doing the guiding, for by that time so much heat had been engendered that Carter, temporary speaker, was tangled hopelessly.

TWO ARE MURDERED.

Woman and Child Slain Close to Their Home.

PHOENIX, Ariz., Jan. 31.—Mrs. Harvey Morris and her 7-year-old son were murdered today a few hundred feet from their home three miles east of Roosevelt. Mrs. Morris' husband had left home for Roosevelt during the morning and a negro shortly afterward appeared in town with throat cut and other marks of violence apparent, alleging his injuries were received in defending the woman from the assault of two Mexicans who killed her and the child. The negro is held in custody.

PLAYHOUSE TRUST

Is Now Charged With Conspiracy to Restrain Trade.

OFFICIALS ARE ANGERED

Declare Malice Main Motive of Indictment and Make Charges Against District Attorney—Calls Indictment Badge of Success.

NEW YORK, Jan. 31.—Regarding the indictment against the so-called theatrical trust on the charges of conspiracy and restraint of trade, which was returned today, Al Hayman and Klaw & Erlanger stated that they were not surprised at the indictment, as it has been street and table talk for over a year, but added:

"The malice and other motives which inspired it are tales of another telling."

"If anyone doubts the demoralization," Hayman said, "of the present district attorney's office, he need only to notice the freedom with which the grand jury proceedings are published daily. Certainly the witnesses and the grand jurors themselves would not talk about what happened in the grand jury room."

Hayman added that every business institution which grows to large proportions is in danger of being dominated by a "trust," and an indictment for being a member of a trust seems to be the badge of success planned on successful business men by their unsuccessful competitors."

MEETS LINGERING DEATH.

Montana Wreck Pins Conductor Under Boiler in Icy Stream.

MISSOULA, Jan. 31.—Two engines upon which were riding a large number of men who had been engaged in breaking the snow blockade near Saltese, Mont., plunged over an embankment two miles west of De Borgia today, killing two and injuring nearly a score, some of them seriously. The dead are D. R. McDonald, conductor, of Missouri; Levi Burres, fireman, of Missoula. McDonald's death occurred tonight after he had lain ten hours pinned beneath the boiler with his body partly submerged in the icy waters of the St. Regis river. His fellow workmen were unable to help him, but kept his head above water until he died. He steadfastly refused to have his leg amputated.

APPEAL IS REMARKABLE

Father Pleads to Save the Life of His Son.

ALL PRESENT MOVED

Tears Gather in the Eyes of Even the Attorneys for the State.

ASKS DECISIVE VERDICT

Father of Chester Thompson Pleads With Jury to Find His Son Insane—Youth Alone Remains Untouched.

TACOMA, Wash., Jan. 31.—Attorney Will H. Thompson began his address to the jury this morning in behalf of his son, Chester, who has been on trial for murder for seven weeks. The address of the father lasted all of today and will occupy a good part of tomorrow.

Although Mr. Thompson is in bad health, his address is an oratorical effort of great strength. His remarks brought tears to the eyes of the judge and jury. Every person in the courtroom fell to sobbing. Even the attorneys for the state were overcome.

The aged attorney recited from his own poem, "High Tide at Gettysburg," and commented on the fact that he had been a rebel soldier. He claimed that he loved his boy and he loved the law alike, and that he would not make an appeal for the son that was not within the law.

"I shall appeal neither to your prejudice nor to your hearts," he declared, but nevertheless his address was one of the most powerful heart appeals ever made in a Western courtroom.

With tears streaming down his face, the father begged the jury to find some kind of verdict—not to make a mistake.

"I am no coward," he cried, "but I can't go through this ordeal again. If the sun is going down, let it go down today. If you're going to strike, strike now. I'll not flinch at your verdict. If the law does not protect that boy, let him die. Death is not such a terrible thing. Men on the jury have faced it. I have faced it."

At this point Mr. Thompson launched into a wonderful word picture of the battle of Cold Harbor, a dramatic effort on which he had evidently spent many days of preparation.

"It is not death that I am fighting against now, but dishonor. There has never been a coward in our family; there has never been a drunkard; there has never been a criminal."

Then followed an appeal to the jury to find the boy who slew Judge Meade Emory, the father's friend, insane.

During all of the sobbing and hysteria in the courtroom, Chester Thompson shed not a tear, nor did he even change position. In opening, Judge Thompson said: "I come before you as the stricken father of this unfortunate boy, as a simple citizen and lover of the law. It is my purpose to ask you to go with me over his saddened life, due to mental ailment, and I am confident that your verdict will not do him wrong. I know what the attorneys for the prosecution wanted me to do—to whip this mental wreck of a boy for his eccentric acts. 'I did not do it; I am glad I did not, and I never will.' The real cry of the father for the life of his son is yet to come. If Judge Thompson's opening remarks

started sob, there will be a rare scene in court when the eloquent lawyer and devoted father reaches his peroration, which will likely be tomorrow afternoon.

Prosecutor MacIntosh is to follow, and the case will likely not get to the jury before the close of the week, if then.

BODIES BROUGHT UP.

Remains of Miners Killed in Explosion Taken from Ground.

CHARLESTON, Jan. 31.—The bodies of twenty-five victims of Tuesday's explosion were brought to the surface today. The searchers found a veritable charnel house. Mutilated bodies covered the bottom of the shaft so thickly that the rescuers found it impossible to move about without stepping on them. They counted twenty-six bodies including those sent up.

HOTEL ALBEMARLE CLOSED.

NEW YORK, Jan. 31.—The Hotel Albemarle in West 24th street, was closed yesterday for the first time in many years. It is understood the house is to be renovated before it is reopened. The Albemarle for years has been the favorite stopping place for naval officers and visiting Englishmen of rank. Admiral Dewey, Admiral Schley and Admiral Davis were frequent guests and ex-Governor Higgins often was there.

FIRE BURNS IN SAFE

Valuable Testimony Lost Through Leakage of Bottles.

"PETTYBONE DOPE" SPILLS

Combustible Liquid Destroys Documents Intended for Use Against Officers of Western Federation of Miners.

COLORADO, Jan. 31.—A special to the Gazette from Cripple Creek says, through fire thought to have been caused by "Pettybone dope," or "hell fire," a combustible liquid, certain documentary evidence, photographs and other valuable papers that were to have been used as evidence against Moyer, Haywood and Pettibone, officers of the Western Federation of Miners, charged with complicity in the Steunenberg murder in Idaho, which had been placed in a safe of the Mine Owners' Association of Cripple Creek, are thought to have been destroyed. At 1:45 this afternoon smoke was noticed issuing from the safe in the rooms of the association in the National hotel. Small drops of fire leaked out through a crack at the bottom and falling on the floor burned holes in the linoleum. The fire department was called but as the fire was confined to the safe, it was shoved out onto the sidewalk and all the crevices stopped with putty. It is stated that one or more bottles of the chemical, which had been placed in the safe with other valuable evidence for safe keeping, sprung a leak and set fire to the contents of the safe. The chemical came into the possession of the Mine Owners' Association through the confession of Steve Adams. It had been burned in the Cripple Creek district and was found after Adams disclosed its whereabouts. Heat from the chemical after its combustion started is believed to have affected the combination of the safe and it is impossible to open it and learn the extent of the damage. The safe still stands on the sidewalk in front of the hotel and is being guarded by officers.

IMPERIAL UNION.

LONDON, Jan. 31.—A St. Petersburg dispatch to the Times says it is known in court circles that there are prospects of a matrimonial union between the imperial families of Germany and Russia.